



REMARKS

Attorney for Applicant has carefully reviewed the Restriction Requirement on the above-identified application.

Applicant respectfully traverses the Restriction Requirement.

Applicant provisionally elects to prosecute the claims of Group II in the present application.

The present application was initially filed as a PCT application, and has now entered the national phase under 35 U.S.C. § 371. The standards for restriction and unity of invention set forth in MPEP 1850 and PCT Rules 13.1 and 13.2 must be applied to all applications filed under Section 371. The present Restriction Requirement, however, was not made pursuant to these provisions. Rather, the invention was restricted under MPEP 806.05(f). Accordingly, Applicant respectfully submits that the Restriction Requirement is improper and should be withdrawn.

Applicant also respectfully submits that the standards for unity of invention required for international applications entering the national stage have been met. As provided by MPEP 1850 “unity of invention exists only when there is a technical relationship among the claimed inventions involving one or more special technical features” (emphasis added). Applicant’s claimed invention meets this requirement. The claims of Group I are directed to a glow discharge apparatus for generating and maintaining a glow plasma discharge. The claims of Group II are directed to methods of stabilizing glow-to-arc transition for a discharge plasma. The claims of both of these

groups bear the same technical relationship, namely, both are directed to generating glow plasma discharges and stabilizing glow-to-arc transitions associated therewith. Accordingly, since the claims of Groups I and II have the required technical relationship, unity of invention under the PCT rules exists. Accordingly, Applicant respectfully requests withdrawal of the Restriction Requirement.

All issues raised in the Restriction Requirement are believed to have been addressed. Claims 1-23 are pending in this application. Examination is requested and favorable action solicited.

Dated: \_\_\_\_\_

9/24/01

Respectfully submitted,



Michael R. Friscia  
Reg. No. 33,884  
Attorney for Applicant  
WOLFF & SAMSON  
5 Becker Farm Road  
Roseland, NJ 07068-1776  
Tel.: (973) 533-6599  
Fax: (973) 436-4499

739118